

Reprinted March 4, 2014

ENGROSSED HOUSE BILL No. 1181

DIGEST OF HB 1181 (Updated March 3, 2014 4:37 pm - DI 58)

Citations Affected: IC 5-2; IC 6-1.1; IC 10-21; IC 20-49.

Synopsis: Career and technical education centers. Provides that a school corporation career and technical education center may receive a grant from the Indiana safe schools fund. Provides that a school corporation career and technical education school may apply for a matching grant from the Indiana secured school fund. Provides that a school corporation career and technical education center may receive an advance from the common school fund. Specifies that each member school corporation is considered to receive a proportionate share of the advance and is responsible for its proportionate share of the repayment based on the number of pupils the school corporation has attending the career and technical education center in the school year when the advance is made. Allows a school corporation career and technical education center to receive an advance even if the school corporation has an outstanding advance. Specifies, for purposes of the law relating to controlled project financing, that the project cost is not the total project cost but is to be allocated among the member school corporations based on pupils.

Effective: July 1, 2014.

Frye R, Klinker

(SENATE SPONSORS — BANKS, KRUSE, LEISING, BRODEN)

January 14, 2014, read first time and referred to Committee on Education. January 27, 2014, reported — Do Pass.
January 29, 2014, read second time, ordered engrossed. Engrossed. January 30, 2014, read third time, passed. Yeas 92, nays 0.

SENATE ACTION

February 4, 2014, read first time and referred to Committee on Education and Career Development.
February 27, 2014, amended, reported favorably — Do Pass.
March 3, 2014, read second time, amended, ordered engrossed.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1181

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 5-2-10.1-6, AS AMENDED BY P.L.280-2013,
SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2014]: Sec. 6. (a) A school corporation, school corporation
career and technical education school described in IC 20-37-1-1, or
charter school (as defined in IC 20-24-1-4) may receive a grant from
the fund for programs, equipment, services, or activities included in a
safety plan submitted with the application for funds to the institute.

(b) A safety plan submitted under this section must include provisions for zero (0) tolerance for alcohol, tobacco, drugs, and weapons on school property. If the institute approves the safety plan and application, the treasurer of state shall disburse from the fund to the applicant the amount of the grant certified to the treasurer of state by the institute.

SECTION 2. IC 5-2-10.1-7, AS AMENDED BY P.L.280-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) As used in this section, "program" refers to



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1	a school safe haven program.
2	(b) A school corporation, school corporation career and technical
3	education school described in IC 20-37-1-1, or charter school (as
4	defined in IC 20-24-1-4) may apply to the institute for a grant for
5	matching funds under this chapter to establish and operate a school
6	safe haven program.
7	(c) A program must include at least the following components:
8	(1) The school must be open to students of the school before and
9	after normal operating hours, preferably from 7 a.m. to 9 p.m., on
10	days determined by the school corporation.
11	(2) The program must operate according to a plan to do the
12	following in the school:
13	(A) Reduce alcohol, tobacco, and drug abuse.
14	(B) Reduce violent behavior.
15	(C) Promote educational progress.
16	(d) The institute shall adopt rules to administer the program,
17	including rules concerning evaluations by school corporations and
18	school corporation career and technical education schools
19	described in IC 20-37-1-1 on the use and impact of grant money
20	received through the program.
21	SECTION 3. IC 5-2-10.1-10, AS AMENDED BY SEA 24-2014,
22	SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23	JULY 1, 2014]: Sec. 10. (a) A county may establish a county school
24	safety commission.
25	(b) The members of the commission are as follows:
26	(1) The school safety specialist for each school corporation
27	located in whole or in part in the county.
28	(2) The judge of the court having juvenile jurisdiction in the
29	county or the judge's designee.
30	(3) The sheriff of the county or the sheriff's designee.
31	(4) The chief officer of every other law enforcement agency in the
32	county, or the chief officer's designee.
33	(5) A representative of the juvenile probation system, appointed
34	by the judge described under subdivision (2).
35	(6) Representatives of community agencies that work with
36	children within the county.
37	(7) A representative of the Indiana state police district that serves
38	the county.
39	(8) A representative of the prosecuting attorneys council of
40	Indiana who specializes in the prosecution of juveniles.
41	(9) Other appropriate individuals selected by the commission.
42	(c) If a commission is established, the school safety specialist of the



1	school corporation having the largest ADM (as defined in
2	IC 20-18-2-2), as determined in the fall count of ADM in the school
3	year ending in the current calendar year, in the county shall convene
4	the initial meeting of the commission.
5	(d) The members shall annually elect a chairperson.
6	(e) A commission shall perform the following duties:
7	(1) Perform a cumulative analysis of school safety needs within
8	the county.
9	(2) Coordinate and make recommendations for the following:
10	(A) Prevention of juvenile offenses and improving the
11	reporting of juvenile offenses within the schools.
12	(B) Proposals for identifying and assessing children who are
13	at high risk of becoming juvenile offenders.
14	(C) Methods to meet the educational needs of children who
15	have been detained as juvenile offenders.
16	(D) Methods to improve communications among agencies that
17	work with children.
18	(E) Methods to improve security and emergency preparedness.
19	(F) Additional equipment or personnel that are necessary to
20	carry out safety plans.
21	(G) Any other topic the commission considers necessary to
22	improve school safety within the school corporations within
23	the commission's jurisdiction.
24	(3) Provide assistance to the school safety specialists on the
25	commission in developing and requesting grants for safety plans.
26	(4) Provide assistance to the school safety specialists on the
27	commission and the participating school corporations and school
28	corporation career and technical education schools described
29	in IC 20-37-1-1 in developing and requesting grants for school
30	safe haven programs under section 7 of this chapter.
31	(5) Assist each participating school corporation and each school
32	corporation career and technical education schools described
33	in IC 20-37-1-1 in carrying out the school corporation's or career
34	and technical education school's safety plans.
35	(f) The affirmative votes of a majority of the voting members of the
36	commission are required for the commission to take action on a
37	measure.
38	(g) A commission shall receive the school safety plans described in
39	IC 20-26-18.2-2 for the schools and school corporations located in the
40	county. The commission may share the school safety plans with law
41	enforcement agencies.

SECTION 4. IC 5-2-10.1-12, AS AMENDED BY SEA 24-2014,



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1	SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2	JULY 1, 2014]: Sec. 12. (a) Each school within a school corporation
3	and each school corporation career and technical education school
4	described in IC 20-37-1-1 shall establish a safe school committee. The
5	committee may be a subcommittee of the committee that develops the
6	strategic and continuous school improvement and achievement plan
7	under IC 20-31-5.
8	(b) The department of education, the school corporation's school
9	safety specialist, and, upon request, a school resource officer (as
10	described in IC 20-26-18.2-1) shall provide materials and guidelines to
11	assist a safe school committee in developing a plan and policy for the
12	school that addresses the following issues:
13	(1) Unsafe conditions, crime prevention, school violence,
14	bullying criminal gang activity and other issues that prevent the

- bullying, criminal gang activity, and other issues that prevent the maintenance of a safe school.
- (2) Professional development needs for faculty and staff to implement methods that decrease problems identified under subdivision (1).
- (3) Methods to encourage:
 - (A) involvement by the community and students;
 - (B) development of relationships between students and school faculty and staff; and
 - (C) use of problem solving teams.
- (c) As a part of the plan developed under subsection (b), each safe school committee shall provide a copy of the floor plans for each building located on the school's property that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the law enforcement agency and the fire department that have jurisdiction over the school.
- (d) The guidelines developed under subsection (b) must include age appropriate, research based information that assists school corporations and safe school committees in:
 - (1) developing and implementing bullying prevention programs;
 - (2) establishing investigation and reporting procedures related to bullying; and
 - (3) adopting discipline rules that comply with IC 20-33-8-13.5.
- (e) In addition to developing guidelines under subsection (b), the department of education shall establish categories of types of bullying incidents to allow school corporations to use the categories in making reports under IC 20-20-8-8 and IC 20-34-6-1.
- SECTION 5. IC 6-1.1-20-1.1, AS AMENDED BY P.L.106-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



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1	JULY 1, 2014]: Sec. 1.1. As used in this chapter, "controlled project"
2	means any project financed by bonds or a lease, except for the
3	following:
4	(1) A project for which the political subdivision reasonably
5	expects to pay:
6	(A) debt service; or
7	(B) lease rentals;
8	from funds other than property taxes that are exempt from the
9	levy limitations of IC 6-1.1-18.5 or (before January 1, 2009)
10	IC 20-45-3. A project is not a controlled project even though the
11	political subdivision has pledged to levy property taxes to pay the
12	debt service or lease rentals if those other funds are insufficient.
13	(2) A project that will not cost the political subdivision more than
14	the lesser of the following:
15	(A) Two million dollars (\$2,000,000).
16	(B) An amount equal to one percent (1%) of the total gross
17	assessed value of property within the political subdivision on
18	the last assessment date, if that amount is at least one million
19	dollars (\$1,000,000).
20	For purposes of this chapter, the cost of a project by a school
21	corporation career and technical education school described
22	in IC 20-37-1-1 that is funded through an advance from the
23	common school fund under IC 20-49 shall be allocated among
24	the organizing school corporations in the same manner as the
25	advance is allocated under IC 20-49-4.
26	(3) A project that is being refinanced for the purpose of providing
27	gross or net present value savings to taxpayers.
28	(4) A project for which bonds were issued or leases were entered
29	into before January 1, 1996, or where the state board of tax
30	commissioners has approved the issuance of bonds or the
31	execution of leases before January 1, 1996.
32	(5) A project that is required by a court order holding that a
33	federal law mandates the project.
34	(6) A project that:
35	(A) is in response to:
36	(i) a natural disaster;
37	(ii) an accident; or
38	(iii) an emergency;
39	in the political subdivision that makes a building or facility
40	unavailable for its intended use; and
41	(B) is approved by the county council of each county in which
42	the political subdivision is located.



1	(7) A project that was not a controlled project under this section
2	as in effect on June 30, 2008, and for which:
3	(A) the bonds or lease for the project were issued or entered
4	into before July 1, 2008; or
5	(B) the issuance of the bonds or the execution of the lease for
6	the project was approved by the department of local
7	government finance before July 1, 2008.
8	(8) A project of the Little Calumet River basin development
9	commission for which bonds are payable from special
10	assessments collected under IC 14-13-2-18.6.
11	SECTION 6. IC 10-21-1-1, AS ADDED BY P.L.172-2013,
12	SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13	JULY 1, 2014]: Sec. 1. The following definitions apply throughout this
14	chapter:
15	(1) "ADM" refers to average daily membership determined under
16	IC 20-43-4-2.
17	(2) "Board" refers to the secured school safety board established
18	by section 3 of this chapter.
19	(3) "Fund" refers to the Indiana secured school fund established
20	by section 2 of this chapter.
21	(4) "Local plan" means the school safety plan described in
22	IC 20-26-18.2-2(b).
23	(5) "School corporation or charter school" refers to an individual
24	school corporation, a school corporation career and technical
25	education school described in IC 20-37-1-1, or a charter school
26	but also includes:
27	(A) a coalition of school corporations;
28	(B) a coalition of charter schools; or
29	(C) a coalition of both school corporations and charter schools;
30	that intend to jointly employ a school resource officer or to jointly
31	apply for a matching grant under this chapter, unless the context
32	clearly indicates otherwise.
33	(6) "School resource officer" has the meaning set forth in
34	IC 20-26-18.2-1.
35	SECTION 7. IC 20-49-3-8, AS AMENDED BY P.L.205-2013,
36	SECTION 307, IS AMENDED TO READ AS FOLLOWS
37	[EFFECTIVE JULY 1, 2014]: Sec. 8. The fund may be used to make
38	advances:
39	(1) to school corporations, including school townships and school
40	corporation career and technical education schools described
41	in IC 20-37-1-1, under IC 20-49-4 and IC 20-49-5; and
42	(2) under IC 20-49-6.



Unless the context clearly requires otherwise, a reference to a school corporation in this chapter includes a school corporation career and technical education school described in IC 20-37-1-1. However, an advance to a school corporation career and technical education school described in IC 20-37-1-1 is not considered an advance to a school corporation for purposes of determining if the school corporation career and technical education school described in IC 20-37-1-1 qualifies for an advance.

SECTION 8. IC 20-49-4-1, AS ADDED BY P.L.2-2006, SECTION 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,2014]: Sec. 1. This chapter applies to school corporations organized and formed through reorganization under IC 20-23-4, IC 20-23-6, or IC 20-23-7, and school townships under IC 20-23-3, and school corporation career and technical education schools described in IC 20-37-1-1. Unless the context clearly requires otherwise, a reference to a school corporation in this chapter includes a school corporation career and technical education school described in IC 20-37-1-1.

SECTION 9. IC 20-49-4-7, AS AMENDED BY P.L.205-2013, SECTION 308, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. As used in this chapter, "school building construction program" means the purchase, lease, or financing of land, the construction and equipping of school buildings, and the remodeling, repairing, or improving of school buildings by a school corporation:

- (1) that sustained a loss from a disaster;
- (2) whose adjusted assessed valuation (as determined under IC 6-1.1-34-8) per current ADM is within the lowest forty percent (40%) of the assessed valuation per current ADM when compared with all school corporation adjusted assessed valuation (as adjusted (if applicable) under IC 6-1.1-34-8) per current ADM; or (3) with an advance under this chapter outstanding on July 1, 1993, that bears interest of at least seven and one-half percent (7.5%).

The term does not include facilities used or to be used primarily for interscholastic or extracurricular activities. If a program involves a school corporation career and technical education school described in IC 20-37-1-1, the adjusted assessed valuation and current ADM of all those school corporations that are members of the career and technical education school are to be used for making determinations under this section.

SECTION 10. IC 20-49-4-9, AS ADDED BY P.L.2-2006,



SECTION 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. Priority of advances for school building construction programs shall be made to school corporations that have the least amount of adjusted assessed valuation (as determined under IC 6-1.1-34-8) per student in ADM. If a program involves a school corporation career and technical education school described in IC 20-37-1-1, the adjusted assessed valuation and current ADM of all those school corporations that are members of the career and technical education school are to be used for making determinations under this section.

SECTION 11. IC 20-49-4-18, AS ADDED BY P.L.2-2006, SECTION 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 18. To ensure timely payment of advances according to the terms, the state may in its sole discretion withhold from funds due to school corporations to which advances are made amounts necessary to pay the advances and the interest on the advances in accordance with their respective terms. The terms of the advances shall be established by the state board after consulting with the department and upon the approval of the budget agency in advance of the time the respective advances are made. However, in the case of school corporations with advances outstanding on July 1, 1993, the withholding may be adjusted to conform with this chapter. To the extent available, funds shall first be withheld from the distribution of state tuition support. However, if this distribution is not available or is inadequate, funds may be withheld from the distribution of other state funds to the school corporation to which the advance is made. If an advance is made to a school corporation career and technical education school described in IC 20-37-1-1, a part of the advance and the payment obligation for that part of the advance shall be determined by allocating the advance and payment amounts among the members of the career and technical education school using the number of students from each member school corporation that are enrolled in the career and technical education school in the school year the advance is made.

SECTION 12. IC 20-49-4-19, AS ADDED BY P.L.2-2006, SECTION 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 19. A school corporation receiving an advance shall agree to have the money advanced, together with the interest on the advance, deducted from the distribution of state tuition support until all the money advanced, together with the interest on the advance, has been paid. The state board and the state board of finance shall reduce each distribution of state tuition support to each school



1	corporation to which an advance is made in an amount to be agreed
2	upon by the state and the school corporation. If an advance is made
3	to a school corporation career and technical education school
4	described in IC 20-37-1-1, the reduction for a payment obligation
5	for the advance shall be allocated as provided in section 18 of this
6	chapter.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1181, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1181 as introduced.)

Committee Vote: Yeas 10, Nays 0

Representative Behning

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1181, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, delete lines 21 through 42.

Delete pages 3 through 4.

Page 5, delete line 1, begin a new paragraph and insert:

"SECTION 3. IC 5-2-10.1-10, AS AMENDED BY SEA 24-2014, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. (a) A county may establish a county school safety commission.

- (b) The members of the commission are as follows:
 - (1) The school safety specialist for each school corporation located in whole or in part in the county.
 - (2) The judge of the court having juvenile jurisdiction in the county or the judge's designee.
 - (3) The sheriff of the county or the sheriff's designee.
 - (4) The chief officer of every other law enforcement agency in the county, or the chief officer's designee.
 - (5) A representative of the juvenile probation system, appointed by the judge described under subdivision (2).
 - (6) Representatives of community agencies that work with children within the county.
 - (7) A representative of the Indiana state police district that serves the county.
 - (8) A representative of the prosecuting attorneys council of Indiana who specializes in the prosecution of juveniles.



- (9) Other appropriate individuals selected by the commission.
- (c) If a commission is established, the school safety specialist of the school corporation having the largest ADM (as defined in IC 20-18-2-2), as determined in the fall count of ADM in the school year ending in the current calendar year, in the county shall convene the initial meeting of the commission.
 - (d) The members shall annually elect a chairperson.
 - (e) A commission shall perform the following duties:
 - (1) Perform a cumulative analysis of school safety needs within the county.
 - (2) Coordinate and make recommendations for the following:
 - (A) Prevention of juvenile offenses and improving the reporting of juvenile offenses within the schools.
 - (B) Proposals for identifying and assessing children who are at high risk of becoming juvenile offenders.
 - (C) Methods to meet the educational needs of children who have been detained as juvenile offenders.
 - (D) Methods to improve communications among agencies that work with children.
 - (E) Methods to improve security and emergency preparedness.
 - (F) Additional equipment or personnel that are necessary to carry out safety plans.
 - (G) Any other topic the commission considers necessary to improve school safety within the school corporations within the commission's jurisdiction.
 - (3) Provide assistance to the school safety specialists on the commission in developing and requesting grants for safety plans.
 - (4) Provide assistance to the school safety specialists on the commission and the participating school corporations and school corporation career and technical education schools described in IC 20-37-1-1 in developing and requesting grants for school safe haven programs under section 7 of this chapter.
 - (5) Assist each participating school corporation and each school corporation career and technical education schools described in IC 20-37-1-1 in carrying out the school corporation's or career and technical education school's safety plans.
- (f) The affirmative votes of a majority of the voting members of the commission are required for the commission to take action on a measure.
- (g) A commission shall receive the school safety plans described in IC 20-26-18.2-2 for the schools and school corporations located in the county. The commission may share the school safety plans with law



enforcement agencies.

SECTION 4. IC 5-2-10.1-12, AS AMENDED BY SEA 24-2014, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 12. (a) Each school within a school corporation and each school corporation career and technical education school described in IC 20-37-1-1 shall establish a safe school committee. The committee may be a subcommittee of the committee that develops the strategic and continuous school improvement and achievement plan under IC 20-31-5.

- (b) The department of education, the school corporation's school safety specialist, and, upon request, a school resource officer (as described in IC 20-26-18.2-1) shall provide materials and guidelines to assist a safe school committee in developing a plan and policy for the school that addresses the following issues:
 - (1) Unsafe conditions, crime prevention, school violence, bullying, criminal gang activity, and other issues that prevent the maintenance of a safe school.
 - (2) Professional development needs for faculty and staff to implement methods that decrease problems identified under subdivision (1).
 - (3) Methods to encourage:
 - (A) involvement by the community and students:
 - (B) development of relationships between students and school faculty and staff; and
 - (C) use of problem solving teams.
- (c) As a part of the plan developed under subsection (b), each safe school committee shall provide a copy of the floor plans for each building located on the school's property that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the law enforcement agency and the fire department that have jurisdiction over the school.
- (d) The guidelines developed under subsection (b) must include age appropriate, research based information that assists school corporations and safe school committees in:
 - (1) developing and implementing bullying prevention programs;
 - (2) establishing investigation and reporting procedures related to bullying; and
 - (3) adopting discipline rules that comply with IC 20-33-8-13.5.
- (e) In addition to developing guidelines under subsection (b), the department of education shall establish categories of types of bullying incidents to allow school corporations to use the categories in making reports under IC 20-20-8-8 and IC 20-34-6-1.".



Page 6, delete lines 14 through 28. Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1181 as printed January 27, 2014.)

KRUSE, Chairperson

Committee Vote: Yeas 10, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1181 be amended to read as follows:

Page 6, between lines 10 and 11, begin a new paragraph and insert: "SECTION 6. IC 10-21-1-1, AS ADDED BY P.L.172-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. The following definitions apply throughout this chapter:

- (1) "ADM" refers to average daily membership determined under IC 20-43-4-2.
- (2) "Board" refers to the secured school safety board established by section 3 of this chapter.
- (3) "Fund" refers to the Indiana secured school fund established by section 2 of this chapter.
- (4) "Local plan" means the school safety plan described in IC 20-26-18.2-2(b).
- (5) "School corporation or charter school" refers to an individual school corporation, a school corporation career and technical education school described in IC 20-37-1-1, or a charter school but also includes:
 - (A) a coalition of school corporations;
 - (B) a coalition of charter schools; or
- (C) a coalition of both school corporations and charter schools; that intend to jointly employ a school resource officer or to jointly apply for a matching grant under this chapter, unless the context clearly indicates otherwise.



(6) "School resource officer" has the meaning set forth in IC 20-26-18.2-1.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1181 as printed February 28, 2014.)

BANKS

